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10/602,354	06/23/2003	Denis Fetherston	PIPMW1.1C1C1	1729

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EXAMINER
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MOONEYHAM, JANICE A

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 09/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/602,354

Applicant(s)

FETHERSTON, DENIS

Examiner

Jan Mooneyham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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### **DETAILED ACTION**

1. This is in response to the communication filed on June 26, 2003. Claims 1-15 are currently pending in this application.

#### ***Priority***

2. Acknowledgment is made of applicant's claim for foreign priority based on an applications filed in New Zealand on August 15, 1996 and August 15, 1998. It is noted, however, that applicant has not filed a certified copy of the New Zealand application as required by 35 U.S.C. 119(b).

#### ***Information Disclosure Statement***

3. The information disclosure statement (IDS) submitted on June 23, 2003 is being considered by the examiner.

#### ***Claim Objections***

4. Claims 11 and 12 are objected to because of the following informalities: Claim 11 reads on Claim 12 and Claim 12 reads on Claim 11. Appropriate correction is required. Claim 11 does not refer to a preceding claim.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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5. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Jensen (US Patent 6,065,000).

**Referring to Claim 1:**

Jensen discloses a system for assisting an organization to implement and maintain compliance management, the system comprising:

a graphical interface which allows a user to display and enter data about legislative obligations or other obligations with which the organization is required to comply, the interface arranged to display a plurality of user-selectable modules, each module relating to a particular piece of legislation or obligation (col. 2, lines 58-63, col. 4, lines 1-26, Figs. 1 and 3 and Figs. 19, 20, and 22);

at least one master database for storing compliance criteria on the legislative other compliance obligations, the master database coupled the graphical interface for displaying data about the legislative or other obligations (Fig. 11 (52(a) system database, col. 3, lines 58-67, col. 4, lines 40-59);

at least one slave database for storing information on activities of and incidents or accidents in the organization and assessments of the organization, the slave database coupled to the graphical interface for user entry of data about the activities of and incidents or accidents in the organization and assessments of the organization (Fig. 11 (52(b) incident database, col. 5, lines 29-43; also note Fig. 3); and

a risk assessor interfaced to assign a priority rating to the activity, incident, accident or assessment in the slave database (Fig. 38 note module "How Bad" and compliant accident description and category, Fig. 39, Figure 4 – note accident analysis by

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nature of injury, col. 5, lines 17-28, also Fig. 11 (94) report generator, col. 13, lines 15-19.

Jensen teaches implementation of compliance management programs. Jensen integrates the Occupational Safety and Health Administration (OSHA) no. 200 report required by public law (Fig. 4A, col. 13, lines 29-40) into a software application of user-selectable modules (Fig. 19). The main menu of modules consists of setup forms, attendance related information, related accidents or injuries and training. Jensen teaches that the structure of his system may be customized for a particular company (col. 3, lines 58-67). The incident database is used to enter information into the incident record (col. 4, lines 65-67). The incident database is used to enter information into an incident record (col. 4, lines 65-67), while the system database is used to define report formats or standardize the incident report (col. 4, lines 40-56). Jensen discloses defined report formats may be automatically extracted from system database (ie, master database) for use in the incident database (slave database) (col. 4, lines 56-65).

**Referring to Claim 2:**

Jensen discloses a system further comprising a report generator configured to generate a report on any action required to render the organization compliant with the legislative or other requirements in the master database (Figs. 3 and 4A, Fig. 10, col. 1, lines 13-30, lines 33-51, lines 55- col. 2, line 10, col. 5, lines 17-28).

**Referring to Claim 3:**

Jensen discloses a system wherein further comprising a report generator configured to generates a report on activities, incidents, accident or assessments having a

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priority rating above a predefined threshold (Figs. 3 and 4A, Fig. 10, col.1 line 13 thru col. 2, line 10, col. 5, lines 17-28).

**Referring to Claim 4:**

Jensen discloses a system wherein the predefined threshold may be altered, thereby allowing an organization to successively lower the threshold as the organization manages high priority activities, incidents, accidents or assessments (col. 1, line 55 thru col. 2, line 10, Fig. 38, col. 4, lines 40-59, col. 5, lines 17-27).

**Referring to Claim 5:**

Jensen discloses a system wherein relationships between data stored in the master database and the slave database are dynamically created and deleted as required (records may be added and deleted, note incident database creator/modifier (84) and system database creator/modifier (78), Fig. 11, Fig. 50, col. 12, lines 49-64).

**Referring to Claim 6:**

Jensen discloses a system wherein the master database is configured to be able to be updated with additional compliance requirements (Jensen teaches that the structure of his system may be customized for a particular company, col. 3, lines 58-67, also Figs. 12 and 15, col. 13, lines 30-40, col. 1, line 55 thru col. 2, line 10, col. 12, lines 49-64)

**Referring to Claim 7:**

Jensen discloses wherein the priority rating assigned comprises a numerical priority rating (Figs. 5 and 6 Graphs).

**Referring to Claim 8:**

Jensen discloses a computer-implemented method for assisting an organization to implement and maintain compliance management programs, the method comprising:

allowing a user to display and enter data through a graphical interface, wherein the data relates to legislative obligations or other obligations with which the organization is required to comply; the interface arranged to display a plurality of user-selectable modules, each module relating to a, particular piece of legislation or obligation (col. 2, lines 13-30, col. 2, line 55 thru col. 2, line 10, col. 2, lines 58-63, col. 4, lines 1-26, Figs. 1 and 3 and 19,20,22);

storing compliance criteria on the legislative or other compliance obligations in at least one master database coupled to the graphical interface for displaying data about the legislative or other obligations (Fig. 11 (52(a) system database, col. 3, lines 58-67, col. 4, lines 40-59);

storing information on activities of and incidents or accident in the organization and assessments of the organization in at least one slave database coupled to the graphical interface for user entry of data about the activities of and incidents or accidents in the organization and assessments if the organization (Fig. 11 incident database (52b), col. 5, lines 29-43 and Fig. 3);

assigning to the activities, incidents, accidents or assessments a priority rating and storing the priority rating in the slave database (Fig. 38 note module "How Bad" and compliant accident description and category, Fig. 39, Fig. 5 – accident analysis by nature of injury, col. 5, lines 17-28, also Fig. 11 (94) report generatory;

retrieving data from the slave database about the organization (Fig. 11); and

retrieving legislative or other compliance requirements from the master database (Fig. 11).

Jensen teaches implementation of compliance management programs. Jensen integrates the Occupational Safety and Health Administration (OSHA) no. 200 report required by public law (Fig. 4A, col. 13, lines 29-40) into a software application of user-selectable modules (Fig. 19). The main menu of modules consists of setup forms, attendance related information, related accidents or injuries and training. Jensen teaches that the structure of his system may be customized for a particular company (col. 3, lines 58-67). The incident database is used to enter information into the incident record (col. 4, lines 65-67). The incident database is used to enter information into an incident record (col. 4, lines 65-67), while the system database is used to define report formats or standardize the incident report (col. 4, lines 40-56). Jensen discloses defined report formats may be automatically extracted from system database (ie, master database) for use in the incident database (slave database) (col. 4, lines 56-65).

**Referring to Claim 9:**

Jensen discloses a method further comprising generating a report on action to be taken to render the organization compliant with the legislative or other compliance requirement in the master database (Fig. 3 and 4A, Fig. 10, col. 1, line 13 thru col. 2, line 10, col. 5, lines 17-28).

**Referring to Claim 10:**

Jensen discloses a method comprising generating a report on activities, incidents, accidents or assessments having a priority rating above a predefined threshold (Figs. 3 and 4A, Fig. 10, col. 1, line 13 thru col. 2 line 10, col. 5, lines 17-28).

**Referring to Claim 11:**



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Jensen discloses a method further comprising predefined threshold (Figs. 3 and 4A, Fig. 10, col. 1, line 13 thru col. 2, line 10, Fig. 38, col. 4, lines 40-59, col. 5, lines 17-28).

**Referring to Claim 12:**

Jensen discloses a method wherein the altering comprises lowering the threshold as the organization manages high priority activities incidents accidents or assessments (col. 1, line 55 thru col. 2, line 10, Fig. 38, col. 4, lines 40-59, col. 5, lines 17-27).

**Referring to Claim 13:**

Jensen discloses a method further comprising dynamically creating and deleting relationships between data stored in the master database and the slave database as required (records may be added and deleted, not incident database creator/modifier (84) and system database creator/modifier (78), Fig. 11, Fig. 50, col. 12, lines 49-64).

**Referring to Claim 14:**

Jensen discloses a method further comprising updating the master database with additional compliance requirements (Jensen teaches that the structure of his system may be customized for a particular company, col. 3, lines 58-67, Also, Figs. 12 and 15, col. 13, lines 30-40, col. 1, line 55 thru col. 2, line 10, col. 12, lines 49-64).

**Referring to Claim 15:**

Jensen discloses wherein the priority rating assigned comprises a numerical priority rating (Figs. 5 and 6 Graphs).

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Department of Treasury teaches computer software under development that will enable banks to prepare and file the SAR (Suspicious Activity Report) electronically

WO 02/15032 discloses a compliance data management system for managing compliance data over a network system of computers.

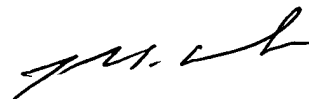
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jan Mooneyham whose telephone number is (703) 305-8554. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JM



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